

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMES H. BRADY,

Plaintiff,

-v-

IGS REALTY CO. L.P. and PHILIPPE IFRAH,

Defendants.

19 Civ. 10142 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On November 5, 2020, the Court received a letter from *pro se* plaintiff James H. Brady regarding his inability to access the electronic version of his complaint and accompanying exhibits. *See* Dkt. 68. The Court understands that Brady’s complaint was limited to “case participant” view only, because Exhibit 2 to the complaint contains an image of a check showing payment of \$1.7 million, with the account number unredacted in violation of Federal Rule of Civil Procedure 5.2(a)(4). That rule serves the important interests of protecting individuals’ privacy and financial security. However, as Brady is proceeding *pro se* and therefore lacks ECF credentials that are available to attorneys, it appears that he is unable to view the document despite clearly being a case participant.

Rule 5.2 contains an exception to the rule against disclosure of financial information in court filings where the party submitting such information files only his or her own information. *See* Fed. R. Civ. P. 5.2(h). Although the facts alleged in the complaint suggest that the account number listed on the image in Exhibit 2 belongs to Brady, it is unclear from the image itself whether that is so. The Court will not order the complaint and its exhibits to be made available to the general public absent confirmation that the account number is, in fact, Brady’s.

Accordingly, Brady is directed to file forthwith a letter attesting whether the account information in Exhibit 2 belongs or belonged solely to him or a business entity that he owns or owned, and whether he waives the protection of Rule 5.2(a) as it relates to the financial information contained therein.

If the account information is not his or he does not waive the protections of Rule 5.2(a), defense counsel is directed, forthwith after receiving Brady's response to this order, to file on the public docket and serve on Brady a copy of the filings at docket 1, with the account information in Exhibit 2 appropriately redacted under Rule 5.2(a).

If neither of the above options is practicable, Brady must request and pay for, from this Court or the U.S. Court of Appeals for the Second Circuit, a copy of the filing.

The Clerk of Court is respectfully directed to mail this order to Brady.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 5, 2020
New York, New York